

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

IN THE MATTER OF:

THE COMPLAINT AND PETITION OF  
MARINE TOWING & SALVAGE OF S.W.  
FL. INC., as owners and/or owners pro hac  
vice of a 1991 24' Rib/Tow Vessel, Hull ID  
No. FLZ24RB91181, Registration Number  
FL8015SM, in a cause of action for  
Exoneration from and/or Limitation of  
Liability,

Case No. 2:21-cv-44-JLB-MRM

Petitioner.

**ORDER**

The Magistrate Judge filed a Report and Recommendation (“R&R”) in this matter on June 9, 2021, recommending that Petitioner’s motion for final judgment of exoneration of liability be granted in this admiralty action. (Doc. 32.) No objections have been filed. A district judge may accept, reject, or modify the magistrate judge’s R&R. 28 U.S.C. § 636(b)(1). The factual findings in the R&R need not be reviewed de novo in the absence of an objection, but legal conclusions are always reviewed de novo. Id.; Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).


After an independent review of the record—and noting that no objections have been filed—the Court agrees with the well-reasoned R&R. The only claimant who filed a claim in this case, Joann Manipole, stipulated to dismissal. (Doc. 28.) Petitioner has otherwise sufficiently complied with all the procedural obligations of Supplemental Rule 4(F), and default judgment should therefore be entered against

potential claimants who have failed to file or otherwise state a claim in response to the Complaint and Petition for Exoneration from or Limitation of Liability. (Doc.

1.) Accordingly, it is **ORDERED**:

1. The Report and Recommendation (Doc. 32) is **ADOPTED**.
2. Petitioner's Motion for Entry of Final Judgment of Exoneration of Liability (Doc. 31) is **GRANTED**.
3. The Clerk **SHALL** enter a default judgment against all claimants who have not timely filed claims or responded to the Complaint and Petition for Exoneration from or Limitation of Liability. (Doc. 1.)
4. Petitioner **SHALL** be exonerated from all liability arising out of the incident described in the Complaint and Petition for Exoneration from or Limitation of Liability. (Doc. 1.)
5. The Clerk is directed to close the case.

**ORDERED** in Fort Myers, Florida, on June 28, 2021.

  
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**JOHN L. BADALAMENTI**  
UNITED STATES DISTRICT JUDGE